



# Department of Development Services

## Building Division

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**SUBJECT: TG-22-2011 PROCEDURE TO CONDITION, SUSPEND, REVOKE, OR RESTORE APPROVAL OF SPECIAL INSPECTION PERSONNEL, QUALITY ASSURANCE AGENCY, AND FABRICATOR/MANUFACTURER**

**1.0 PURPOSE:** This technical guideline establishes the procedure to condition, suspend, revoke, or restore the approval of special inspection personnel, quality assurance agency, and fabricator/manufacturere

**2.0 SCOPE:** This guideline identifies the delegation of responsibility and provides procedures for the condition, suspension, revocation, or restoration of the approval of any special inspection personnel, quality assurance agency, or fabricator/manufacturere as prescribed in the Clark County Building Administrative Code.

### **3.0 ABBREVIATIONS & ACRONYMS:**

**BAC:** Clark County Building Administrative Code

**CCDDS-BD:** Clark County Department of Development Services–Building Division

**TG:** Technical Guideline

**QAA:** Quality Assurance Agency

**4.0 DEFINITIONS:** For the purposes of this technical guideline certain terms, phrases, words and their derivatives shall be construed as specified in this section and the BAC.

**Enforcement Actions** are correction notices and notice of violations issued to special inspection personnel, quality assurance agency, or fabricator/manufacturere.

**Mandatory Meeting Letter** is an order to appear at the CCDDS-BD office to discuss correction notice(s) and notice of violation(s) which requires immediate attention.

**APPROVED DATE: April 25, 2011**

**EFFECTIVE DATE: April 29, 2011**

Revised By:	Concurred By:	Approved By:
<i>Brian Lenihan</i>	<i>Theodore L. Droessler</i>	<i>Ron Lynn</i>
Brian Lenihan, P.E. Senior Engineer	Theodore L. Droessler, P.E. Manager of Engineering	Ron Lynn, CBO Building Official / Director

## **5.0 REFERENCES:**

Clark County Building Administrative Code

## **6.0 RESPONSIBILITIES:**

- 6.1 Department Staff has the responsibility to identify quality system discrepancies and compile documentation related to the discrepancy.
- 6.2 Principal Engineers shall review enforcement actions generated by staff and prepare complaints for review and potential action by the Manager of Engineering.
- 6.3 The CCDDS-BD Manager of Engineering is delegated the authority to review and confirm or deny actions which condition, suspend, revoke, or restore the approval of any special inspection personnel, Quality Assurance Agency, or fabricator/manufacturer, per BAC Section 22.02.035 (Building Official definition).
- 6.4 The Building Official shall process appeals to complaints as detailed in BAC 22.02.560.

## **7.0 PROCEDURE:**

### **7.1 Department Staff:**

When discrepancies are identified relating to construction, testing, inspection, supervision, and/or fabrication staff shall investigate.

7.1.1 The type of enforcement action shall depend on the severity of the discrepancy.

7.1.2 Grounds to condition, suspend or revoke the approved status are: incompetence; conflict of interest; willful or negligent failure to inspect the work; failure to establish and maintain job site supervision; failure to report non-compliances; violations of approved construction documents, technical codes or technical guidelines; or any other failure to perform the duties designated in the BAC or the technical codes for an Approved Agency, Approved Fabricator/Manufacturer, or Approved Special Inspector, per BAC 22.02.540 Condition, Suspension or Revocation of Approval. When the above items are identified a report will be prepared and forwarded to the Principal Engineer for review.

### **7.2 Principal Engineer:**

7.2.1 Review enforcement actions issued by staff.

7.2.2 Review and disposition responses to enforcement actions.

7.2.3 Issue an administrative and investigative fee letter per BAC 22.02.540 (E). Failure to pay administrative and investigative fees subject a special inspector, engineering manager, quality manger, quality assurance agency, or fabricator/manufacturer to automatic revocation of approvals.

7.2.4 A Mandatory Meeting may be required to address enforcement actions. A mandatory meeting letter is issued to both the quality control manager and the engineering manager. Failure to resolve enforcement actions discussed during the mandatory meeting will result in a complaint being generated.

7.2.5 Complaints shall be reviewed by the principal engineer responsible for the quality programs and forwarded to the Manager of Engineering. Complaints filed by others shall be handled in accordance with the provisions within this guideline.

**7.3 Complaint:**

A complaint that if validated, would constitute grounds to condition, suspend, or revoke a listing or approval shall be submitted in writing to the CCDDS-BD Manager of Engineering.

7.3.1 A Complaint shall include all supporting documents.

7.3.2 If the CCDDS-BD Manager of Engineering determines that the complaint has merit, then the special inspector, engineering manager, quality manger, quality assurance agency, or fabricator/manufacturer shall be notified in writing and shall have the opportunity to submit a written response to the complaint. The written response shall set forth facts that respond to the complaint. Supporting documents, with pages numbered, shall be attached to the written response. The written response must be submitted to CCDDS-BD attention Manager of Engineering via certified mail within 14 days of the date of notification.

**7.4 Condition, Suspension, or Revocation of Approval:**

The CCDDS-BD Manager of Engineering shall review the complaint with the written response, if submitted, and determine if the listing or approval shall be conditioned, suspended, or revoked. The Manager of Engineering shall notify department staff to condition, suspend, revoke, or dismiss the complaint. The Manager of Engineering shall notify the affected party via certified mail of the decision.

**7.5 Restoration of Approved Status:**

The CCDDS-BD Manager of Engineering is authorized to restore approved status or listing pursuant to BAC 22.02.540 (C).

**7.6 Appeal Procedures:**

A special inspector, engineering manager, quality manger, quality assurance agency, or fabricator/manufacturer that has had their approval conditioned, suspended, or revoked may appeal to the Building Official. Appeals shall be submitted in accordance with BAC 22.02.560.

7.6.1 The Building Official and/or a hearing officer as authorized per BAC 22.02.560 Section (C) shall review and disposition the appeal per Sections (C) to (K).

**8.0 RECORDS:**

Documents associated with, complaints, condition, suspension, or revocation of approval of a person shall be sent to the Records Division.

**9.0 ATTACHMENTS:**

TG-22 Workflow

**10.0 REVISION HISTORY:**

Title	Revision/Approved Date	Effective Date
TG-22-2011	April 25, 2011	April 29, 2011

# TG-22 Workflow

